



Comptroller General
of the United States

Washington, D.C. 20548

Linda Glass

Decision

Matter of: Institutional Communications Company

File: B-233058.2

Date: October 23, 1989

DIGEST

Protest is dismissed where allegation that solicitation for a state-of-the-art, telecommunications systems has been knowingly structured to favor a particular firm has been referred to the agency's Inspector General for investigation, subject to the protester's right to reinstate the protest upon receipt of the results of the investigation.

DECISION

Institutional Communications Company (ICC) has filed a protest against request for proposals (RFP) No. MDA903-88-R-0971 issued by the Defense Supply Service-Washington (DSS-W) for the acquisition of a state-of-the-art, digital telecommunication system to support the Department of Defense (DOD) in the National Capital Region.^{1/}

The RFP, issued on May 27, 1988, as part of DOD's Telecommunications Modernization project (TEMPO), seeks a single prime contractor to assume total performance responsibility for the TEMPO system. The closing date for receipt of initial proposals was July 5, 1989.

ICC protests that the requirement for a single prime contractor to be responsible for providing the complete TEMPO system unduly restricts competition and exceeds the government's minimum needs. ICC also argues in its protest that the TEMPO RFP and other agency actions have unlawfully enhanced one firm's competitive advantage.

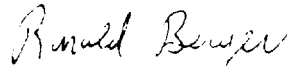
The agency denies the protester's allegations. However, we have been informed by DOD that ICC's allegations concerning the TEMPO solicitation have been referred to DOD's Office of the Inspector General. We have been advised by the Office

^{1/} The Region includes the District of Columbia and adjacent counties in suburban Maryland and Virginia.

046950/139709

of Inspector General that their investigation of the procurement includes a determination of whether DOD officials knowingly specified requirements in the RFP that improperly gave one firm a competitive advantage. DOD expects the investigation of the TEMPO procurement to be completed shortly.

In view of this investigation, we consider that DOD has not yet made a final decision on the propriety of proceeding with the procurement. Under the circumstances, we believe the appropriate course of action at this point is to close our file on ICC's protest pending the results of the DOD investigation. See Usatrex International, Inc., B-231815.4, Oct. 31, 1988, 88-2 CPD ¶ 413. We expect DOD to complete its investigation as rapidly as possible and to promptly notify the protester and our Office of the results. Upon receipt of that information, the protester may reinstate its protest if that action seems warranted.



Ronald Berger
Associate General Counsel